



Georgia

HOUSE OF REPRESENTATIVES

Wednesday
February 5,
2020

DAILY REPORT

12th
Legislative
Day

House Budget & Research Office
(404) 656-5050

- The House will reconvene for its 13th Legislative Day on Tuesday, February 18 at 10:00 a.m.
- Five bills / resolutions are expected to be debated on the floor.

Today on the Floor

Rules Calendar

HB 663 Georgia Judicial Retirement System; membership for certain persons employed in certain full time positions requiring admission to the State Bar of Georgia as a condition of employment; require

Bill Summary: HB 663 allows employees of the newly created Georgia Business Court (HB 239, 2019 Session) to become members of the Judicial Retirement System of Georgia (JRS) if they are employed full-time and are in good standing with the State Bar of Georgia. All other employees of the Georgia Business Court will be members of the Employees' Retirement System of Georgia (ERS). ERS is required to transfer employee and employer contributions to JRS and the member will receive service credit in JRS equal to the amount of service they earned while a member of ERS. This bill is certified by the Georgia Department of Audits and Accounts as a fiscal retirement bill. The actuarial investigation determines there is no cost to this legislation.

Authored By: Rep. Chuck Efstoration (104th)
House Retirement
Committee:
Floor Vote: Yeas: 164 Nays: 7

Rule Applied: Modified-Structured
Committee Action: 01-14-2020 Do Pass by Committee Substitute
Amendments:

HR 326 Roger C. Dill Transportation Center; Tift County; dedicate

Bill Summary: HR 326 dedicates the newly constructed Department of Transportation building in Tift County as the Roger C. Dill District Office.

Authored By: Rep. Penny Houston (170th)
House State Properties
Committee:
Floor Vote: Yeas: 169 Nays: 0
Floor Action: Adopted (Resolution)

Rule Applied: Modified-Open
Committee Action: 01-15-2020 Do Pass by Committee Substitute
Amendments:

HR 935 Georgia Commission on Freight and Logistics; create

Bill Summary: House Resolution 935 creates the Georgia Commission on Freight and Logistics to continue the work of determining the best course of action with regard to funding and policy development relating to freight and logistics through legislative and budgetary recommendations. The commission is composed of 22 members:

Three members of the House appointed by the speaker and three members of the Senate appointed by the lieutenant governor, including the chairs of the House and Senate Transportation committees;

Six representatives, three appointed by the speaker and three by the lieutenant governor, of entities which provide freight and logistics services, possess expertise in the operations of a major airport hub, or lead a major commodity or lead a major commodity shipper, major air shipping provider, or

major manufacturing operation based in this state;

Four members, two appointed by the speaker and two by the lieutenant governor, who serve as local government officials;

The executive director of the Georgia Municipal Association;

The executive director of the Association County Commissioners of Georgia;

The president of the Georgia Chamber of Commerce;

The president of the Metro Atlanta Chamber of Commerce;

The commissioner of transportation, ex officio; and

The executive director of the Georgia Ports Authority, ex officio.

Authored By: Rep. Kevin Tanner (9th)
House Transportation
Committee:
Floor Vote: Yeas: 169 Nays: 0
Floor Action: Adopted (Resolution)

Rule Applied: Modified-Open
Committee 01-30-2020 Do Pass
Action:
Amendments:

Next on the Floor from the Committee on Rules

The Committee on Rules has fixed the calendar for the 13th Legislative Day, Tuesday, February 18, and bills may be called at the pleasure of the Speaker.

HB 195 Georgia Firefighters' Pension Fund; increase benefit amount payable to beneficiaries after the member's death

Bill Summary: HB 195 increases the death benefit for members of the Georgia Firefighters' Pension Fund from \$5,000 to \$10,000. This bill is certified by the Georgia Department of Audits and Accounts as a fiscal retirement bill. The actuarial investigation estimates the first-year cost is \$24,441. The current revenue generated from the one percent tax on premiums from fire insurance companies is sufficient to cover the cost of this legislation.

Authored By: Rep. Tommy Benton (31st)
House Committee: Retirement

Rule Applied: Modified-Structured
Committee Action: 01-28-2020 Do Pass

HB 538 Revenue and taxation; all questions of law decided by the Georgia Tax Tribunal be decided without deference to the rules, determinations, or interpretations of the Department of Revenue; require

Bill Summary: House Bill 538 requires courts and the Georgia Tax Tribunal to decide all questions of law regarding the proper interpretation of revenue and taxation-related statutes or regulations without deference to the Department of Revenue's interpretation of the statute or regulation in dispute.

Authored By: Rep. Todd Jones (25th)
House Committee: Judiciary

Rule Applied: Modified-Structured
Committee Action: 01-30-2020 Do Pass

HB 759 Controlled substances; Schedule IV; change certain provisions

Bill Summary: HB 759 is the annual drug update to comply with federal regulations and capture new synthetic drugs such as spice and bath salts.

Authored By: Rep. Butch Parrish (158th)
House Committee: Judiciary Non-Civil

Rule Applied: Modified-Structured
Committee Action: 01-31-2020 Do Pass

HB 765 Courts; increase in the minimum compensation for chief magistrates; provide

Bill Summary: HB 765 raises the minimum salary and compensation of magistrates and clerks. For magistrate judges, the new minimum salary is equal to the previous minimum salary, plus previously-enacted cost-of-living adjustments, plus an additional five percent raise. Monthly minimums for magistrate clerk courts are increased by the same percentage.

Authored By: Rep. Mitchell Scoggins (14th)
House Committee: Judiciary

Rule Applied: Modified-Structured
Committee Action: 01-28-2020 Do Pass

HB 781 Financial institutions; clarify and remove superfluous language; provisions

Bill Summary: HB 781 updates, modernizes, and further amends Title 7 of the Code. The bill clarifies the acquiring parties subject to the Department of Banking and Finance's grounds for disapproval of acquisition proposals by trust companies.

The department's authority is expanded to approve the payment of dividends by a bank or trust company, prior to cumulative profitability, if the bank or trust company is profitable on an annual basis and the payment of such dividend is consistent with standards of safety and soundness.

The department's authority is expanded to waive or modify residency requirements for the board of directors of any bank or trust company.

The bill provides that Georgia chartered banks may conduct any activities at any representative office outside of Georgia as authorized or not prohibited by law. If the activity requires approval from the department, the commissioner can waive the requirement if he or she finds the bank's involvement in particular activities will not threaten safety or soundness of such bank.

Registration process requirements are removed for banks or bank holding companies when registering a representative office in Georgia. A bank or bank holding company must post notice of the closing of a representative office as required by Code Section 7-1-110.1.

The period in which the department must approve or disapprove completed applications for branch offices is reduced from 90 days to 30 days. The department may no longer waive publication requirements when a bank files a written notification, instead of an official application, when applying for a branch office.

Out-of-state banks with branches already established in Georgia are no longer required to notify the department of an acquisition alongside with their application for acquisition made to the federal regulator.

Paragraph (3) of subsection (b) of Code Section 7-1-656 replaces "supervisory" committee with "audit" committee.

Individual loan officers may only approve or disapprove loans less than or equal to five percent of the credit union's net worth. Loans greater than five percent require approval by the board of directors or credit committee as recorded in the formal minutes and subject to certain limitations on securities.

Code Section 7-1-658 revises the authority of credit unions to issue certain loans. Delegated authority to loan officers to approve or disapprove loans to a borrower shall be limited to loans not exceeding, in the aggregate, five percent of the net worth of the credit union. Furthermore, no credit union shall be authorized to make loans to any one person or corporation where the aggregated of such loans and obligations together exceeds five percent of the net worth of the credit union, unless approved in advance by the board of directors or credit committee, the approval is recorded in formal minutes, and is subject to certain limiting requirements and exceptions.

The department may regulate and prescribe definitions and requirements for the transactions identified in Code Section 7-1-658. The department may also specify that the liabilities of a group of one or more persons or corporations or both shall be considered as owed by one person or corporation based on the common control of the borrowers within the group, or other criteria established by the department for the combination of indebtedness for legal lending limitation purposes.

Code Section 7-1-658 removes the requirement that a credit committee act upon any loan in excess of 50 percent of the union's maximum loan limitation, or such lower limit as established by the committee, and specifies the terms "person" and "corporation."

"Night depository" is added as an extension of a banking location and defined as a drop box where customers can make deposits or payments outside of normal banking hours. Night depositories may be located anywhere in the state.

Code Section 7-1-664 is amended to provide for credit union extensions and related restrictions; specifically for automated teller machines, cash dispensing machines, night depositories, and point-of-sale terminals.

Code Section 7-1-665 is amended to provide for the department's authority and procedure when considering branch applications submitted by credit unions. Certain criteria are identified for the department to consider when reviewing an application and specifies that the decision of the department is final, except that it may be subject to judicial review as provided in Code Section 7-1-90. In the event of a merger or consolidation of two or more credit unions, the resulting credit union

or purchasing credit union may continue to operate all branches approved by the department prior to the merger.

The requirement that a licensee or corporate surety notify the department regarding the cancellation of a bond filed by registered or certified mail, statutory overnight delivery with return receipt requested, is eliminated. The same requirement is also eliminated for mortgage loan originators, mortgage brokers, mortgage lenders, or the corporate surety notifying the department regarding the cancellation of a bond filed for the purposes of compliance with Code Sections 7-1-1003.2 or 7-1-1004. Notice must be sent electronically.

The number of days required for a cease and desist order to become final is reduced from 30 days to 20 days after being issued to a person licensed under Article 4 of Title 7 for the receipt of notice of a bond cancellation under Code Section 7-1-687. If a cease and desist order is issued to a person who has been sent a notice of bond cancellation and the bond is reinstated or replaced, the person must provide documentation evidencing the reinstatement or replacement within 20 days of the issuance of the order.

The bill replaces "license number" of a licensee with "unique identifier" and provides that a unique identifier of certain licensees or registrants is not confidential.

Code Section 7-1-1003.1, relating to the physical place of business of an applicant for a mortgage broker license or renewal and requirement that such person have a registered agent and office in Georgia, is repealed and reserved.

The requirement that licensed mortgage brokers and lenders notify the department of an ultimate equitable owner of 10 percent or more of any corporation or other entity licensed under Article 13 of Title 7 is eliminated.

Lastly, requirements for mortgage loan advertisements are revised, and the 'Georgia Fair Lending Act' is amended to provide updated citations to federal regulations.

Authored By: Rep. Bruce Williamson (115th)
House Banks & Banking
Committee:

Rule Applied: Modified-Structured
Committee 01-28-2020 Do Pass by Committee
Action: Substitute

Committee Actions

Bills passing committees are reported to the Clerk's Office and are placed on the General Calendar.

Agriculture & Consumer Affairs Committee

HB 777 Community Affairs, Department of; consider amending the state minimum standard codes to allow tall mass timber construction types; direct

Bill Summary: HB 777 requires the Department of Community Affairs to review the tall mass timber provisions contained in the 2021 International Building Code for construction types IV-A, IV-B, and IV-C and consider whether the department should amend the Georgia state minimum standard codes to include the provisions. The review shall be conducted on or after July 1, 2020 and completed no later than July 1, 2021.

Authored By:	Rep. John Corbett (174th)	Committee	02-05-2020 Do Pass
House	Agriculture & Consumer Affairs	Action:	
Committee:			

Insurance Committee

HB 61 Motor vehicle insurance companies; offer qualified active duty military service members between the ages of 18 and 24 motor vehicle insurance policies underwritten at rates for such service members 25 years of age or older; require

Bill Summary: House Bill 61 permits that for each private motor vehicle insurance issued, delivered, issued for delivery, or renewed on or after July 1, 2021, the insurer may offer a reduction in the premium for motor vehicle liability, first-party medical, and collision coverage for each named driver as listed on the policy application or otherwise provided in information for each covered motor vehicle. The premium reduction is only applicable for a driver that is an active-duty military service member and whose use of the automobile is considered by the insurer in determining the applicable classification.

Authored By:	Rep. Mike Glanton (75th)	Committee	02-05-2020 Do Pass by Committee
House	Insurance	Action:	Substitute
Committee:			

HB 716 Insurance; carriers issuing a health benefit plan in this state through an agent shall file proposed commission rates with the department; provide

Bill Summary: House Bill 716 requires that any carrier that issues a health benefit plan through an agent must pay a commission to that agent and file with the Department of Insurance the proposed commission rates relevant to all such agents. The commission paid to the agents must be consistent with the amount proposed in the rates filed and required by the Department of Insurance.

Authored By:	Rep. Shaw Blackmon (146th)	Committee	02-05-2020 Do Pass
House	Insurance	Action:	
Committee:			

State Properties Committee

HB 780 State Properties Commission; use an opinion of value in the valuation of state property where a conveyance of the property by the state is for the sole and direct benefit to the state; allow

Bill Summary: House Bill 780 allows the State Properties Commission to use an opinion of value or a written appraisal of value for the conveyance of property that solely and directly benefits the state.

Authored By:	Rep. Clay Pirkle (155th)
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House
Committee:

State Properties

Committee
Action:

02-05-2020 Do Pass

Committee Meeting Schedule

*This meeting schedule is up to date at the time of this report, but meeting dates and times are subject to change.
To keep up with the latest schedule, please visit www.house.ga.gov and click on [Meetings Calendar](#).*

Thursday, February 06, 2020

8:00 AM	Lumsden Public Safety and Homeland Security Subcmte - CANCELLED	515 CLOB
8:00 AM	NATURAL RESOURCES AND ENVIRONMENT	606 CLOB
9:00 AM	APPROPRIATIONS ECONOMIC DEVELOPMENT	406 CLOB
12:00 PM	JUVENILE JUSTICE	406 CLOB
1:00 PM	APPROPRIATIONS HEALTH	341 CAP

Friday, February 07, 2020

12:30 PM	Hospital and Short Term Care Subcommittee of Behavioral Health Innovation and Reform Commission	415 CLOB
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